

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW PIERCEY,

Defendant.

No. 2:20-cr-00211-TLN

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH WINTON,

Defendant.

No. 2:20-cr-00216-TLN

RELATED CASE ORDER

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY KLOPFENSTEIN,

Defendant.

No. 2:24-cr-00163-DJC

Plaintiff filed a Notice of Related Cases on June 28, 2024. Examination of the above-

captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal. 1997). Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern District of California, two actions are related when they involve the same parties and are based on the same or similar claim(s); when they involve the same transaction, property, or event; or when they “involve similar questions of fact and the same question of law and their assignment to the same Judge . . . is likely to effect a substantial savings of judicial effort.” L.R. 123(a). Further,

[i]f the Judge to whom the action with the lower or lowest number has been assigned determines that assignment of the actions to a single Judge is likely to effect a savings of judicial effort or other economies, that Judge is authorized to enter an order reassigning all higher numbered related actions to himself or herself.

L.R. 123(c).

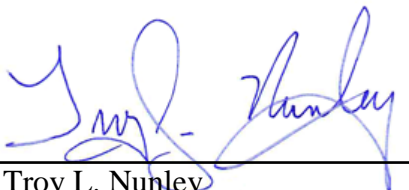
The Court concludes the cases involve the same questions of law and fact as they arose from the same conduct. Reassignment of the cases to the same district judge is “likely to effect a substantial savings of judicial effort” because it will necessarily avoid the “substantial duplication of labor” by the judiciary of this district, including any issues regarding discovery or admissibility of evidence and any questions of law that may arise thereto. *See* E.D. Cal. L.R. 123(a)(3)-(4).

Relating the cases under Local Rule 123, however, merely has the result that both actions are assigned to the same judge, it does not consolidate the actions. Under the regular practice of this Court, related cases are generally assigned to the judge and magistrate judge to whom the first filed action was assigned.

IT IS THEREFORE ORDERED that the action denominated 2:24-cr-00163-DJC is reassigned to District Judge Troy L. Nunley, and the caption shall read 2:24-cr-00163-TLN. Any dates currently set in 2:24-cr-00163-DJC are hereby VACATED. IT IS FURTHER ORDERED that the Clerk of Court adjust the assignment of criminal cases to compensate for this reassignment.

IT IS SO ORDERED.

DATED: June 28, 2024


Troy L. Nunley
United States District Judge